



FEDERAL ELECTION COMMISSION  
WASHINGTON, D C 20463

MAY 15 2007

Robert Gleason, Treasurer  
International Longshoremen's Association  
AFL-CIO Committee on Political Education ILA-COPE  
17 Battery Place  
New York, NY 10004

RE: MUR 5913

Dear Mr. Gleason:

In the normal course of carrying out its supervisory responsibilities, the Federal Election Commission (the "Commission") became aware of information suggesting that the International Longshoremen's Association AFL-CIO Committee on Political Education ILA-COPE ("Committee") and you, in your official capacity as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). On May 9, 2007, the Commission found reason to believe that the Committee and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(b), a provision of the Act. Enclosed is the Factual and Legal Analysis that sets forth the basis for the Commission's determination.

We have also enclosed a brief description of the Commission's procedures for handling possible violations of the Act. In addition, please note that you have a legal obligation to preserve all documents, records and materials relating to this matter until such time as you are notified that the Commission has closed its file in this matter. See 18 U.S.C. § 1519. In the meantime, this matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

[REDACTED]


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[Redacted]

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed Designation of Counsel form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

We look forward to your response.

Sincerely,



Robert D. Lenhard  
Chairman

Enclosures  
Factual and Legal Analysis  
Procedures  
Designation of Counsel Form

[Redacted]

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1 **FEDERAL ELECTION COMMISSION**

2 **FACTUAL AND LEGAL ANALYSIS**

3  
4 **RESPONDENT:** International Longshoremen's Association **MUR: 5913**  
5 AFL-CIO Committee on Political Education  
6 ILA-COPE, and Robert Gleason, in his official  
7 capacity as treasurer  
8

9  
10 **I. BACKGROUND**

11 This matter was generated based on information ascertained by the Federal Election  
12 Commission ("the Commission") in the normal course of carrying out its supervisory  
13 responsibilities. *See* 2 U.S.C. § 437g(a)(2).

14 **II. FACTUAL AND LEGAL ANALYSIS**

15 The International Longshoremen's Association AFL-CIO Committee on Political  
16 Education ILA-COPE and Robert Gleason, in his official capacity as treasurer ("the  
17 Committee"), is a political committee within the meaning of 2 U.S.C. § 431(4). The Committee  
18 amended its 2004 April, July, and October Quarterly Reports, and its 2004 12-Day Pre-Primary  
19 Report to disclose combined additional receipts totaling \$298,689.06 that it omitted from its  
20 original reports. For the reasons set out below, the Commission finds reason to believe that the  
21 Committee violated 2 U.S.C. § 434(b) by failing to disclose receipts in its original 2004 April  
22 Quarterly Report, 2004 July Quarterly Report, 2004 12-Day Pre-Primary Report, and 2004  
23 October Quarterly Report.

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1 In 2004, the Committee filed amendments to four of its reports to the Commission,  
2 disclosing additional receipts totaling \$298,689.06. Those reports and relevant amendments are  
3 summarized in the following chart:

Report	Date Filed	Date Amended	Additional Receipts
2004 April Quarterly	April 14, 2004	July 15, 2004	\$65,827.21
2004 July Quarterly	July 15, 2004	October 15, 2004	\$80,211.62
2004 12-Day Pre-Primary	August 19, 2004	October 15, 2004	\$101,782.46
2004 October Quarterly	October 15, 2004	October 21, 2004	\$50,867.77
		<b>Total Additional Receipts:</b>	<b>\$298,689.06</b>

4  
5 On November 24, 2004 and December 1, 2004, the Reports Analysis Division ("RAD")  
6 issued Requests for Additional Information ("RFAs") inquiring, *inter alia*, about the increased  
7 activity that was not disclosed in the Committee's original 2004 April Quarterly Report and July  
8 Quarterly Report, respectively. On December 20, 2004, the Committee filed a miscellaneous  
9 electronic submission referencing its Amended 2004 April Quarterly and Amended 2004 July  
10 Quarterly Reports stating that "[t]he reason the information was not originally reported was that  
11 the information was made available after the reporting date, so the information was added as an  
12 amendment."

13 On January 5, 2005 the Committee filed another miscellaneous electronic submission  
14 referencing its Amended 2004 April Quarterly and Amended 2004 July Quarterly Reports, which  
15 stated in part the following:

16 The additional receipts shown on the amended reports represent  
17 unitemized payroll deduction contributions from ILA members. These  
18 unitemized receipts were not reflected in the original report because of a  
19 routing delay in the transmission of certain account information from

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1 ILA's accountants to the persons responsible for preparing the ILA  
2 [-]COPE reports.

3  
4 ILA[-]COPE has already acted to address and resolve the source of the  
5 routing delay that necessitated the amendments by providing for the direct  
6 transmission of ILA[-]COPE receipt information from ILA[-]COPE's  
7 bank to the persons responsible for preparing ILA[-]COPE's FEC reports.  
8 This step represents a part of on-going efforts by the ILA to streamline the  
9 transmission of information between relevant ILA departments, which  
10 effort has been made a priority since the completion of the FEC's audit of  
11 ILA[-]COPE in 2004.  
12

13 On December 8, 2004, RAD sent RFAs referencing the Amended 2004 12-Day  
14 Pre-Primary Report, and the Amended 2004 October Quarterly Report, asking for clarification  
15 regarding the additional receipts that were not disclosed in the original reports. On January 11,  
16 2005, the Committee filed a miscellaneous electronic submission referencing the 2004 12-Day  
17 Pre-Primary and 2004 October Quarterly Reports that provided the same explanation as in its  
18 January 5, 2005 miscellaneous electronic submission *See supra*

19 The treasurer of a political committee must file reports of all receipts and disbursements  
20 in accordance with the Federal Election Campaign Act of 1971, as amended. 2 U.S.C.  
21 § 434(a)(1). A committee filing on a quarterly schedule, in a calendar year in which a regularly  
22 scheduled general election is held, shall file reports no later than the 15<sup>th</sup> day after the last day of  
23 each calendar quarter (on April 15, July 15 and October 15) and each report shall be complete as  
24 of the last day of the calendar quarter for which the report is filed. 2 U.S.C. § 434(a)(4)(A)(i);  
25 11 C.F.R. § 104.5(c)(1)(i). The committee must also file a pre-election report no later than the  
26 12<sup>th</sup> day before such election, which discloses all receipts and disbursements as of the 20<sup>th</sup> day  
27 before a primary or general election. 2 U.S.C. § 434(a)(4)(A)(ii); 11 C.F.R. § 104.5(c)(1)(ii).

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1 Such reports shall also disclose the total amount of all receipts for that reporting period and  
2 calendar year. 2 U.S.C. § 434(b)(2).

3 The Committee did not comply with these reporting requirements when it failed to  
4 disclose \$65,827.21 in receipts in its original 2004 April Quarterly Report, \$80,211.62 in receipts  
5 in its original 2004 July Quarterly Report, \$101,782.46 in receipts in its original 2004 12-Day  
6 Pre-Primary Report, and \$50,867.77 in receipts in its original 2004 October Quarterly Report.  
7 Therefore, there is reason to believe that the International Longshoremen's Association AFL-CIO  
8 Committee on Political Education ILA-COPE and Robert Gleason, in his official capacity as  
9 treasurer, violated 2 U.S.C. § 434(b).

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